## REMARKS/ARGUMENTS

Claims 1 – 27 are pending in the application. Claims 1, 10, 22, and 27 have been amended. Support for the amendments is found in the specification, drawings, and claims as originally filed. Applicants respectfully submit, therefore, that the amendments do not add new matter.

In the January 1, 2006 Office Action, Claims 1-8, 10-14, 16-18, 20 , 21, 26 and 27 remain rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,003,135 to Bialick et al. ("Bialick"). Claims 9 and 22-25 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bialick in view of U.S. Patent No. 6,374,315 to Okada et al. ("Okada"). Claims 15 and 19 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Howard in view of Chiles et al. and Ferchau et al. Finally, Claim 15 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bialick in view of U.S. Patent No. 6,134,593 to Alexander et al. ("Alexander").

Applicant respectfully submits that the invention, as claimed, for example, in amended claim 1, is not anticipated by Bialick. Claim 1 includes the following limitations.

A method comprising: in a portable data device, checking a wireless network card for a stored platform discrimination indication,the platform discrimination indication dependent upon a type of a portable data device;; and depending on a value of the platform discrimination indication, inhibiting or allowing data transfer, across a wireless network, using the wireless network card..

(Amended claim 1) (Emphasis added)

Applicants respectfully submit that Bialick does not disclose the limitation of a data transfer across a wireless network that is dependent upon a platform discrimination indication of a wireless network card, where the platform discrimination indication dependent upon a type of a portable data device.

Bialick et al. discloses a modular device that communicates with a host computing device and enables security operations to be performed by the modular device on: (i) data stored within the host computing device, (ii) data provided from the host computing device to the modular device, or data retrieved by the host computing device from the modular device. The modular device includes a security module that is adapted to enable performance of the security operations on the data and a target module that is adapted to enable a defined interaction with the host computing device. The target module can be embodied by any of a variety of modules having different types of functionality (e.g. data storage, data communication, data input and output, user identification).

Bialick does not disclose or suggest the limitation of dependent data transfer across a wireless network. Moreover, Bialick does not disclose or suggest the limitation of checking the wireless network card for a stored platform discrimination indication on which would depend the transfer of data across a wireless network where the platform discrimination indication dependent upon a type of a portable data device.

Further, Bialick does not disclose or suggest inhibiting or allowing data transfer across a wireless network depending on a value of the platform discrimination indication.

For these reasons, applicants respectfully submit that the present claims are

neither anticipated nor rendered obvious by Bialick. Applicants further respectfully submit that none of the additional cited references, alone or in combination, remedy the deficiencies of Bialick in this regard.
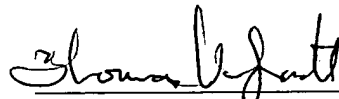
## CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 408-282-1809.

Respectfully submitted,

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